

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Anerio V. Altman, Esq. #228445 Lake Forest Bankruptcy PO Box 515381 Los Angeles, CA 90051 Phone and Fax: (949) 218-2002 avaesq@lakeforestbkoffice.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: DEBTOR-IN-POSSESSION	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: JEFFREY SCOTT BEIER	CASE NO.: 8:23-bk-10898-TA CHAPTER: 11 NOTICE OF MOTION AND MOTION IN INDIVIDUAL CASE FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY AS THE COURT DEEMS APPROPRIATE (with supporting declarations) DATE: 05/23/2023 TIME: 10:30 am COURTROOM: 411 West 4th #5B, Santa Ana, CA 92701
Debtor(s).	

Movant: JEFFREY SCOTT BEIER

1. NOTICE IS HEREBY GIVEN to ALL PARTIES ON THE ATTACHED LIST
(Secured Creditor/Lessor), trustee (if any), and affected creditors (Responding Parties), their attorneys (if any), and other interested parties that on the above date and time and in the stated courtroom, Movant in the above-captioned matter will move this court for an order imposing a stay or continuing the automatic stay as to certain creditors and actions described in the motion on the grounds set forth in the attached motion.
2. **Hearing Location:**

<input type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012	<input checked="" type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101
<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501	
3. ☒ a. This motion is being heard on REGULAR NOTICE pursuant to LBR 9013-1. If you wish to oppose this motion, you must file a written response to this motion with the court and serve a copy of it upon the Movant's

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attorney (or upon Movant, if the motion was filed by an unrepresented individual) at the address set forth above no less than 14 days before the above hearing and appear at the hearing of this motion.

☐ b. This motion is being heard on SHORTENED NOTICE. If you wish to oppose this motion, you must appear at the hearing. Any written response or evidence must be filed and served: ☐ at the hearing ☐ at least _____ days before the hearing.

(1) ☐ An Application for Order Setting Hearing on Shortened Notice was not required (according to the calendaring procedures of the assigned judge).

(2) ☐ An Application for Order Setting Hearing on Shortened Notice was filed per LBR 9075-1(b) and was granted by the court and such motion and order has been or is being served upon appropriate creditor(s) and trustee, if any.

(3) ☐ An Application for Order Setting Hearing on Shortened Notice has been filed and remains pending. Once the court has ruled on that motion, you will be served with another notice or an order that will specify the date, time and place of the hearing on the attached motion and the deadline for filing and serving a written opposition to the motion.

4. You may contact the Clerk's Office or use the court's website (www.cacb.uscourts.gov) to obtain a copy of an approved court form for use in preparing your response (optional court form F 4001-1.RESPONSE), or you may prepare your response using the format required by LBR 9004-1 and the Court Manual.

5. If you fail to file a written response to the motion or fail to appear at the hearing, the court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.

Date: 05/02/2023

LAKE FOREST BANKRUPTCY

Printed name of law firm (if applicable)

ANERIO V. ALTMAN, ESQ.

Printed name of individual Movant or attorney for Movant

/S/ ANERIO V. ALTMAN, ESQ.

Signature of individual Movant or attorney for Movant

**MOTION FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY
AS THE COURT DEEMS APPROPRIATE**

Movant: JEFFREY SCOTT BEIER

1. The Property or Debt at Issue:

- a. ☒ Movant moves for an order imposing a stay with respect to the following property (Property):
☐ Vehicle (describe year, manufacturer, type, and model):
Vehicle Identification Number:
Location of vehicle (if known):

- ☐ Equipment (describe manufacturer, type, and characteristics):
Serial number(s):
Location (if known):

- ☒ Other Personal Property (describe type, identifying information, and location): See attached schedule A/B.
☒ Real Property
Street Address: 10 Tucson
Apt./Suite No.:
City, State, Zip Code: Trabuco Canyon, CA 92679
Legal description or document recording number (include county of recording):
☒ See attached continuation page

The following creditor(s) have a security interest or unexpired lease in this Property (give full name and address of creditor) Bank of America, National Association

to secure the sum of approximately \$ 2,757,616.00 now owed. (Secured Creditor/Lessor).
Additional creditors who are the subject of this motion, and their respective claims, addresses and collateral, are described on the continuation sheets attached. (Attach additional sheets as necessary)

- b. ☐ Movant moves for an order **imposing a stay** with respect to *any and all actions* against the Debtor and the estate taken concerning the debt/lease owed to the Secured Creditors/Lessors as described in this motion; and/or
c. ☐ Movant moves for an order **imposing a stay** as to all creditors.
d. ☐ Movant moves for an order **continuing the automatic stay** with respect to any and all actions against the Debtor and the estate taken concerning the debt/lease owed to the Secured Creditor/Lessor; and/or
e. ☒ Movant moves for an order continuing the **automatic stay** as to all creditors.

2. Case History:

- a. ☒ A voluntary ☐ An involuntary petition concerning an individual[s] under chapter ☐ 7 ☒ 11 ☐ 12 ☐ 13 was filed concerning the present case on (specify date): 04/28/2023
b. ☐ An Order of Conversion to chapter ☐ 7 ☐ 11 ☐ 12 ☐ 13 was entered on (specify date):
c. ☐ Plan was confirmed on (specify date):

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LEGAL DESCRIPTION

Assessor's Parcel Number: 755-241-13
Site Congressional District: 40th
Census Tract: 320.46
Census Block: 4005
Carrier Route: B016
Tax Rate Area: 83222
Legal Book Page: //1
Legal Description: N-Tract: 15841 Block: Lot: 1

d. Other bankruptcy cases filed by or against this Debtor have been pending within the past year preceding the petition date in this case. These cases and the reasons for dismissal are:

1. Case name: JEFFREY S. BEIER
Case number: 8:23-bk-10556-TA
Date filed: 03/17/2023
Relief from stay re this Property ☐ was ☒ was not granted
Reason for dismissal: Failure to file case initiation documents.

Chapter: 7
Date dismissed:
☐ was ☒ was not granted

2. Case name:
Case number:
Date filed:
Relief from stay re this Property ☐ was ☐ was not granted
Reason for dismissal:

Chapter:
Date dismissed:
☐ was ☐ was not granted

☐ See attached continuation page

e. ☒ As of the date of this motion the Debtor ☐ has ☒ has not filed a statement of intentions regarding this Property as required under 11 U.S.C. § 521(a)(2). If a statement of intentions has been filed, Debtor ☐ has ☐ has not performed as promised therein.

f. ☒ The first date set for the meeting of creditors under 11 U.S.C. § 341(a) is/was _____ and the court ☐ has ☐ has not fixed a later date for performance by Debtor of the obligations described at 11 U.S.C. § 521(a)(2). The extended date (if applicable) is _____.

g. ☐ In a previous case(s), as of the date of dismissal there was:
☐ an action by the Secured Creditor/Lessor under 11 U.S.C. § 362(d) still pending or
☐ such action had been resolved by an order terminating, conditioning or limiting the stay as to such creditor.

3. The equity in the property is calculated as follows:

a) 1.	Property description/value: 10 Tucson, Trabuco Canyon, CA 92679	\$ 3,200,000.00
2.	Creditor/Lien amount: Bank of America, National Association	\$ 2,757,616.00
3.	Creditor/Lien amount: _____	\$ _____
4.	Creditor/Lien amount: _____	\$ _____
5.	Creditor/Lien amount: _____	\$ _____
6.	Total Liens	\$ _____
7.	Debtor's Homestead Exemption	\$ 33,650.00
8.	Equity in the Property (subtract lines 6 and 7 from line 1 and enter here)	\$ 408,734.00

b) 1.	Property description/value: _____	\$ _____
2.	Creditor/Lien amount: _____	\$ _____
3.	Creditor/Lien amount: _____	\$ _____
4.	Creditor/Lien amount: _____	\$ _____
5.	Creditor/Lien amount: _____	\$ _____
6.	Total Liens	\$ _____
7.	Debtor's Homestead Exemption	\$ _____
8.	Equity in the Property (subtract lines 6 and 7 from line 1 and enter here)	\$ _____

☐ See attached continuation page

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4. **Grounds for Continuing The Stay:**

a. ☒ Pursuant to 11 U.S.C. § 362(c)(3) the stay should be continued on the following grounds:

1. ☒ The present case was filed in good faith notwithstanding that a prior single or joint case filed by or against the individual Debtor which was pending within the year preceding the petition date was dismissed, because:

A. ☒ The prior dismissal was of a case not refiled under chapter 7 after dismissal under 11 U.S.C. § 707(b);

B. ☒ Good faith is shown because

The Debtor is intending to utilize his real property to generate income in a plan of reorganization and there is a sufficient equity cushion such that Bank of America is adequately protected.

☒ See attached continuation page

2. ☒ The Property is of consequential value or benefit to the estate because:

A. ☒ The fair market value of the Property is greater than all liens on the Property as shown above in paragraph 3 and as supported by declarations attached (*describe separately as to each property*);

B. ☒ The Property is necessary to a reorganization for the following reasons:

The Property is intended to generate income first through acting as a rental for one year and then being sold at the end of next year.

☐ See attached continuation page

C. ☒ The Secured Creditor/Lessor's interest can be adequately protected by (describe Movant's proposal for adequate protection):

Bank of America is the only lender secured to the Debtor's real property and there is approximately \$400,000 in available equity in the real property.

☐ See attached continuation page

3. ☒ The presumption of a bad faith filing under 11 U.S.C. § 362(c)(3)(C)(i) is overcome in this case as to *all creditors* because:

A. ☐ The prior dismissal was pursuant to the creation of a debt repayment plan. 11 U.S.C. § 362(i);

B. ☒ Debtor's failure to file or amend the petition or other documents as required by the court or Title 11 of the United States Code and resulting in dismissal was excusable because such failure was caused by the negligence of Debtor's attorney;

C. ☒ Debtor's failure to file or amend the petition or other documents as required by the court or Title 11 of the United States Code and resulting dismissal was excusable because:

The original case was filed as an emergency petition. After due diligence was performed by Debtor's counsel it became impossible to prepare the necessary paperwork to finish the petition within the necessary time period because the Debtor lives outside the country.

☒ See attached continuation page

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- D. ☐ Debtor's failure to provide adequate protection as ordered by the court in the prior case is excusable because:

☐ See attached continuation page

- E. ☐ Debtor's failure to perform the terms of a confirmed plan in the prior case is excusable because:

☐ See attached continuation page

- F. ☐ There has been a substantial change in the personal or financial affairs of the Debtor since the dismissal of the prior case(s) as follows:

From this, the court may conclude that this case, if a case under chapter 7, will result in a discharge or, if under chapter 11 or 13, in a confirmed plan that will be fully performed.

☐ See attached continuation page

- G. ☒ For the following additional reasons:

The Debtor has a history of being able to rent the real property in question for income and there is sufficient equity in the real property such that it is a significant asset of the estate.

☐ See attached continuation page

4. ☒ The presumption of a bad faith filing as to the Secured Creditor/Lessor under 11 U.S.C. § 362(c)(3)(C)(ii) is overcome in this case because
Bank of America enjoys a significant equity cushion.

☐ See attached continuation page

5. **Grounds for Imposing a Stay:**

- a. ☐ Pursuant to 11 U.S.C. § 362(c)(4) this case was filed in good faith and grounds exist for imposing a stay as follows:

1. ☐ The Property is of consequential value or benefit to the estate because the fair market value of the Property is greater than all liens on the property as shown above in paragraph 3 and as supported by declarations attached.

2. ☐ The Property is of consequential value or benefit to the estate because the Property is necessary to a reorganization for the following reasons:
- _____
- _____
- _____
- ☐ See attached continuation page
3. ☐ The Secured Creditor/Lessor's interest can be adequately protected by (*describe Movant's proposal for adequate protection*):
- _____
- _____
- _____
- ☐ See attached continuation page
- b. ☐ The present case was filed in good faith notwithstanding that the prior single or joint cases filed by or against the individual Debtor pending within the year preceding the petition date were dismissed, because:
1. ☐ The prior dismissal was of a case not refiled under chapter 7 after dismissal under 11 U.S.C. § 707(b);
2. ☐ Good faith is shown because:
- _____
- _____
- _____
- ☐ See attached continuation page
- c. ☐ The presumption of a bad faith filing under 11 U.S.C. § 362(c)(4)(D)(i) is overcome in this case as to *all creditors* because:
1. ☐ Debtor had a substantial excuse in failing to file or amend the petition or other documents as required by the court or Title 11 of the United States Code, resulting in the prior dismissal(s) as follows:
- _____
- _____
- _____
- ☐ See attached continuation page
2. ☐ Debtor's failure to file or amend the petition or other documents as required by the court or Title 11 of the United States Code and resulting dismissal was as the result of the negligence of Debtor's attorney;
3. ☐ Debtor's failure to provide adequate protection as ordered by the court in the prior case is excusable because:
- _____
- _____
- _____
- ☐ See attached continuation page

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4. ☐ Debtor's failure to perform the terms of a confirmed plan in the prior case is excusable because:

☐ See attached continuation page

5. ☐ There has been a substantial change in the personal or financial affairs of the Debtor since the dismissal of the prior case(s) as follows:

(from which the court may conclude that this case, if a case under chapter 7, may be concluded with a discharge or, if under chapter 11 or 13, with a confirmed plan that will be fully performed).

☐ See attached continuation page

6. ☐ For the following additional reasons:

☐ See attached continuation page

7. ☐ The presumption of bad faith as to the Secured Creditor/Lessor under 11 U.S.C. § 362(c)(4)(D)(ii) is overcome in this case because

☐ See attached continuation page(s)

6. **Evidence in Support of Motion: (Important Note: Declaration(s) in support of the Motion MUST be attached hereto.)**

- a. ☒ Movant submits the attached Declaration(s) on the court's approved forms (if applicable) to provide evidence in support of this Motion pursuant to LBRs.
- b. ☒ Other Declaration(s) are also attached in support of this Motion.
- c. ☒ Movant requests that the court consider as admissions the statements made by Debtor under penalty of perjury concerning Movant's claims and the Property set forth in Debtor's Schedules. Authenticated copies of the relevant portions of the Schedules are attached as Exhibit 1
- d. ☐ Other evidence (specify):

7. ☐ An optional Memorandum of Points and Authorities is attached to this Motion.

WHEREFORE, Movant prays that this court issue an Order Imposing a Stay and granting the following (specify forms of relief requested):

1. ☒ That the Automatic Stay be continued in effect as to all creditors until further order of the court.

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2. ☐ That the Automatic Stay be continued in effect as to the Secured Creditor/Lessor with respect to the Property until further order of the court.
3. ☐ That the Automatic Stay be continued in effect as to the Secured Creditor/Lessor with respect to actions to collect the debt owed to the Secured Creditor/Lessor until further order of the court.
4. ☐ That a Stay be imposed as to all creditors until further order of the court.
5. ☐ That a Stay be imposed as to the Secured Creditor/Lessor with respect to the Property until further order of the court.
6. ☐ That a Stay be imposed as to the Secured Creditor/Lessor with respect to actions to collect the debt owed to the Secured Creditor/Lessor until further order of the court.
7. ☐ For adequate protection of the Secured Creditor/Lessor by (*specify proposed adequate protection*)

8. ☐ For other relief requested, see attached continuation page.

Date: 5/2/2023

Respectfully submitted,

JEFFREY SCOTT BEIER

Movant name

LAKE FOREST BANKRUPTCY

Firm name of attorney for Movant (if applicable)

/S/ ANERIO V. ALTMAN, ESQ.

Signature

ANERIO V. ALTMAN, ESQ.

Printed name of individual Movant or Attorney for Movant

DECLARATION OF MOVANT

I, JEFFREY SCOTT BEIER, am the DEBTOR-IN-POSSESSION of Movant. I have read the foregoing motion consisting of _____ pages, and the attached materials incorporated therein by reference. If reference is made to balances owing, my testimony regarding same is based upon the business records of Movant kept in the ordinary course of business of Movant by persons whose responsibility it is to accurately and faithfully record information as to the Debtor's account on or near the date of events recorded. I am one of the custodians of such business records.


I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5/2/2023

Date

JEFFREY SCOTT BEIER

Printed name of declarant


Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
LAKE FOREST BANKRUPTCY II, APC PO BOX 515381, LOS ANGELES, CA 90051

A true and correct copy of the foregoing document entitled: **NOTICE OF MOTION AND MOTION IN INDIVIDUAL CASE FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY AS THE COURT DEEMS APPROPRIATE (with supporting declarations)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 05/02/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 05/02/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 05/02/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Delivery to the court per the court manual and general order.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5/2/2023

Date

ANERIO V. ALTMAN, ESQ.

Printed Name

/s/ ANERIO V. ALTMAN, ESQ.

Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

CM/ECF SERVICE

- **Anerio V Altman** LakeForestBankruptcy@jubileebk.net,
lakeforestpacer@gmail.com
- **Michael J Hauser** michael.hauser@usdoj.gov
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

Case 8:23-bk-10898-TAA

Doc 912 Filed 05/02/23 Entered 05/02/23 15:10 Desc Exhibit X - Notice and demand for payment

Label Matrix for local noticing

973-8

Case 8:23-bk-10898-TA

Central District of California

Santa Ana

Due May 2 15:16:31 PDT 2023

Mary and Patricia Beier

Trakes Bay

Laguna Niguel, CA 92677

Santa Ana Division

411 West Fourth Street, Suite 2030,

Santa Ana, CA 92701-4500

National Service Professionals

10001 W Oakland Park Blvd Ste 301

Sunrise, FL 33351-6925

United States Trustee (SA)

411 W Fourth St., Suite 7160

Santa Ana, CA 92701-4500

Bank of America, National Association

Attn: Bankruptcy Department

PO Box 982238

El Paso, TX 79998-2238

Sandy Elsberg

10 Tucson

Trabuco Canyon, CA 92679-5200

Sandy Elsberg

10 Tucson

Trabuco Cyn, CA 92679-5200

Anerio V Altman

Lake Forest Bankruptcy II, APC

P.O. Box 515381

Ste 97627

Los Angeles, CA 90051-6681

Jeffrey S Beier

10 Tucson

Trabuco Canyon, CA 92679-5200

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Sergei Nasonav	(u)Steven Beier	End of Label Matrix	
	San Jose	Mailable recipients	9
		Bypassed recipients	2
		Total	11

Anerio V. Altman, Esq. #228445
Lake Forest Bankruptcy
PO Box 515381
Los Angeles, CA 90051
Phone and Fax: (949) 218-2002
avaesq@lakeforestbkoffice.com
ATTORNEY FOR DEBTOR-IN-POSSESSION
JEFFREY SCOTT BEIER

**UNITED STATES BANKRUPTCY COURTS
CENTRAL DISTRICT OF CALIFORNIA-SANTA ANA DIVISION**

In Re: JEFFREY SCOTT BEIER)	BK. No. 8:23-bk-10898-TA
)	Chapter 11
)	DECLARATION IN SUPPORT OF
)	MOTION TO CONTINUE THE
)	AUTOMATIC STAY
)	<u>JUDGE</u>
)	Hon. Theodor Albert
)	<u>HEARING</u>
)	Date: May 23 rd , 2023
)	Time: 10:30 A.M.
)	Place: 411 West Fourth Street #5B, Santa
)	Ana, CA 92701 (By Zoom.gov)

///

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I, JEFFREY SCOTT BEIER, declare as follows:

1. I am over the age of 18 years old and I am legally able and competent to testify to the following in a court of law if required to do so.
2. I am the Debtor-In-Possession for Chapter 11 Bankruptcy Case In Re: Jeffrey Scott Beier 8:23-bk-10898-TA.
3. I own the real property located at 10 Tucson, Trabuco Canyon, Ca 92679 (“10 Tucson”).
4. I receive now, and have received, offers to purchase this property. Most of the offers indicate that the property could be sold for \$3,200,000. Based upon these offers, and my own opinion of the property, I believe this is an accurate representation of the value of 10 Tucson.
5. For the past two years I have been renting out this property.
6. In 2021 I rented, and received rents from, this property for approximately \$6000 a month.
7. In 2022 I rented, and received rents from, this property for \$7,500 a month.
8. In 2023 I rented, and received rents from, this property for January, February and March 2023 at \$7,500 a month.
9. My current tenant is leaving on May 15th, 2023 and we need to re-lease the property to allow for proper maintenance and continued financial stability through the process of the Chapter 11.
10. There is a disputed 1st mortgage on the property going back to the financial crisis of 2007/2008 with Bear Stearns that was part of my prior bankruptcy case and subsequent sale of Bear Stearns’s stock and assets to JP Morgan Chase.
11. I am now, and have been, in litigation with JP Morgan Chase. Bank of America states they are the servicing agent and has been the front for the litigation. During the previous 15

1 years Bank of America has stated 6 different banks have declined my request for
2 modification and they have stated 6 different entities had right and title to the 1st mortgage
3 deed. When I have asked to speak to the bank(s) regarding the 1st lien position – Bank of
4 America has refused to allow any discussions. They state they are the servicer – they have
5 100% authority and only they speak to the bank(s). However, in the case of modification
6 we have evidence they never asked a single bank to modify a single loan. We also have
7 evidence they intend to benefit for foreclosure as opposed to use the government funds to
8 modify loans as they were instructed to do. Uniquely – they also claim different banks
9 have the 1st lien position at the same time – Six to date, possibly 7. While we litigate these
10 claims – we would like to maintain a tenant to cover the cost of the maintenance on the
11 property.

12 12. Bank of America asserts that they are entitled to approximately \$2,7575,616.

13 13. While I do not agree with Bank of America's assertion as to its ownership or value of this
14 lien, presuming Bank of America is correct, there is approximately \$400,000 in equity in
15 this property.

16 14. I currently reside in Moscow, Russia but I use 10 Tucson as my address in the United States
17 for all other purposes.

18 15. I live in a different time zone from my counsel. I am 10 hours ahead.

19 16. My counsel and I schedule meetings at 6:00 A.M. to discuss this case.

20 17. My initial Chapter 7 filing was filed on March 17th, 2023.

21 18. My initial filing was filed as an emergency filing to stop a pending foreclosure prosecuted
22 by Bank of America, National Association.

1 19. My counsel and I did not have time to put together a complete petition before the 14 days
2 had expired after filing.

3 20. My Plan of Re-Organization – which I intend to file is to rent out the property located at
4 10 Tucson for one year, pending inflation, the economy, the value of USD in the market &
5 the results of the active litigation with the banks at the conclusion of 1 year. It would be
6 my desire to sell the property in 1 year – if conditions permit. Otherwise – to rent the
7 property – Until the litigation is completed and conditions permit. And then to sell the
8 property when it pleases the court maximizing the conditions to satisfy outstanding
9 creditors and hopefully providing for some or all of the 1.5 Million invested in the property
10 of 10 Tucson.

11 21. I make these declarations under penalty of perjury of the laws of the United States and
12 know that they are true.

13 Dated: May 2nd, 2023

Signed: _____

JEFFREY SCOTT BEIER

EXHIBIT 1

Exhibit X

Fill in this information to identify your case and this filing:

Debtor 1	<u>Jeffrey</u>	<u>S</u>	<u>Beier</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>Central</u>	District of	<u>California</u>
Case number			

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

☐ No. Go to Part 2.

☒ Yes. Where is the property?

1.1 10 Tuscon

Street address, if available, or other description

Trabuco Canyon, CA 92679

City State ZIP Code

Orange

County

What is the property? Check all that apply.

☒ Single-family home

☐ Duplex or multi-unit building

☐ Condominium or cooperative

☐ Manufactured or mobile home

☐ Land

☐ Investment property

☐ Timeshare

☐ Other

Who has an interest in the property? Check one.

☒ Debtor 1 only

☐ Debtor 2 only

☐ Debtor 1 and Debtor 2 only

☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: _____

Source of Value: www.zillow.com

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

\$3,117,300.00

Current value of the portion you own?

\$3,117,300.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Fee Simple

☐ Check if this is community property (see instructions)

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here

\$3,117,300.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

☒ No

☐ Yes

Debtor Beier, Jeffrey S

Case number (if known) _____

- 3.1 Make: _____ Who has an interest in the property? Check one.
- Model: _____ ☐ Debtor 1 only
- Year: _____ ☐ Debtor 2 only
- Approximate mileage: _____ ☐ Debtor 1 and Debtor 2 only
- Other information: _____ ☐ At least one of the debtors and another
- ☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? _____

Current value of the portion you own? _____

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☒ No

☐ Yes

- 4.1 Make: _____ Who has an interest in the property? Check one.
- Model: _____ ☐ Debtor 1 only
- Year: _____ ☐ Debtor 2 only
- Other information: _____ ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another
- ☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? _____

Current value of the portion you own? _____

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here _____

\$0.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own? Do not deduct secured claims or exemptions.

6. **Household goods and furnishings**

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No

☒ Yes. Describe.

Household goods and furnishings

\$725.00

7. **Electronics**

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No

☒ Yes. Describe.

Electronics

\$725.00

8. **Collectibles of value**

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☒ No

☐ Yes. Describe.

Debtor **Beier, Jeffrey S**

Case number (if known)

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No

☒ Yes. Describe.

Equipment for sports and hobbies

\$725.00

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No

☐ Yes. Describe.

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☒ Yes. Describe.

Clothes

\$725.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☒ Yes. Describe.

Jewelry

\$725.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☐ No

☒ Yes. Describe.

1 Cat
"Leeloo"

\$1.00

14. Any other personal and household items you did not already list, including any health aids you did not list

☒ No

☐ Yes. Give specific information.

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here →

\$3,626.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own? Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☒ No

☐ Yes Cash:

Debtor Beier, Jeffrey S

Case number (if known) _____

17. **Deposits of money**

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No

☒ Yes

Institution name:

17.1. Checking account:

School's First Federal Credit Union
Has not been used since 2016.

\$0.00

17.2. Checking account:

Wife's Account
Sber Bank (Moscow)
\$10,000 Rubles on the day of filing.

unknown

18. **Bonds, mutual funds, or publicly traded stocks**

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes

Institution or issuer name:

19. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**

☐ No

☒ Yes. Give specific information about them.....

Name of entity:

% of ownership:

The Debtor was the CFO of a company possibly named "Liberty Waste Management" (10%) Owner and 911 Roll Off (50%), Clear Selection and others in 2014, 2015 and 2016. He was absent from the business after 2016. His former partner James Raider (In Colorado) absconded with these interests.

100.00%

unknown

The Debtor works as an independent contractor in Moscow, Russia. His income is paid to the Debtor's wife who is a Russian Citizen.

100.00%

unknown

20. **Government and corporate bonds and other negotiable and non-negotiable instruments**

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them.....

Issuer name:

Debtor Beier, Jeffrey S

Case number (if known) _____

21. **Retirement or pension accounts**

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☒ No

☐ Yes. List each

account separately.

Type of account:

Institution name:

401(k) or similar plan: _____

Pension plan: _____

IRA: _____

Retirement account: _____

Keogh: _____

Additional account: _____

Additional account: _____

22. **Security deposits and prepayments**

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

☐ Yes

Institution name or individual:

Electric: _____

Gas: _____

Heating oil: _____

Security deposit on rental unit: _____

Prepaid rent: _____

Telephone: _____

Water: _____

Rented furniture: _____

Other: _____

23. **Annuities** (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

☐ Yes

Issuer name and description:

Debtor Beier, Jeffrey S

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24. **Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

☐ Yes Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

25. **Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit**

☐ No

☒ Yes. Give specific information about them. ...

Beier 10 Tucson Trust (This may be the title owner to the real property. No other assets in this trust.)

\$0.00

26. **Patents, copyrights, trademarks, trade secrets, and other intellectual property**

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them. ...

27. **Licenses, franchises, and other general intangibles**

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☐ No

☒ Yes. Give specific information about them. ...

Franchise rights to Russia Business Network International which are Unincorporated Mutual Benefit Associations. The franchise rights were purchased in March 2018 and unilaterally cancelled by BNI. The value represents the Debtor's claim against Business Network International shut down in July of 2019.

\$150,000.00

Money or property owed to you?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. **Tax refunds owed to you**

☐ No

☒ Yes. Give specific information about them, including whether you already filed the returns and the tax years.

The Debtor has a loss carry forward of about \$350,000. Unused since 2017.

Federal:

unknown

State:

Local:

29. **Family support**

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

Debtor Beier, Jeffrey S

Case number (if known) _____

☒ No

☐ Yes. Give specific information.

Alimony: _____

Maintenance: _____

Support: _____

Divorce settlement: _____

Property settlement: _____

30. **Other amounts someone owes you**

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information.

31. **Interests in insurance policies**

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value. ...

Company name: _____

Beneficiary: _____

Surrender or refund value: _____

32. **Any interest in property that is due you from someone who has died**

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No

☐ Yes. Give specific information.

33. **Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment**

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☐ No

☒ Yes. Describe each claim.

Claim against Bank of America

unknown

34. **Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**

☒ No

☐ Yes. Describe each claim.

35. **Any financial assets you did not already list**

☐ No

☒ Yes. Give specific information.

Claim against Littleton Colorado Police.

\$7,500.00

Debtor Beier, Jeffrey S

Case number (if known) _____

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here _____ →

\$157,500.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

- ☒ No. Go to Part 6.
☐ Yes. Go to line 38.

Current value of the portion you own?
Do not deduct secured claims or exemptions.

38. Accounts receivable or commissions you already earned

- ☒ No
☐ Yes. Describe.

39. Office equipment, furnishings, and supplies

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

- ☒ No
☐ Yes. Describe.

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade

- ☒ No
☐ Yes. Describe.

41. Inventory

- ☒ No
☐ Yes. Describe.

42. Interests in partnerships or joint ventures

- ☒ No
☐ Yes. Describe

Name of entity:

% of ownership:

43. Customer lists, mailing lists, or other compilations

- ☒ No
☐ Yes. Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?

- ☐ No
☐ Yes. Describe.

Debtor Beier, Jeffrey S

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44. Any business-related property you did not already list

- ☒ No
☐ Yes. Give specific information

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here



\$0.00

Part 6:

Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Current value of the portion you own?
Do not deduct secured claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

- ☒ No
☐ Yes

48. Crops—either growing or harvested

- ☒ No
☐ Yes. Give specific information.

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade

- ☒ No
☐ Yes

50. Farm and fishing supplies, chemicals, and feed

- ☒ No
☐ Yes

51. Any farm- and commercial fishing-related property you did not already list

- ☒ No
☐ Yes. Give specific information.

Debtor Beier, Jeffrey S

Case number (if known) _____

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have attached for Part 6. Write that number here → \$0.00

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

☒ No

☐ Yes. Give specific information. _____

54. Add the dollar value of all of your entries from Part 7. Write that number here → \$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2 → \$3,117,300.00

56. Part 2: Total vehicles, line 5 \$0.00

57. Part 3: Total personal and household items, line 15 \$3,626.00

58. Part 4: Total financial assets, line 36 \$157,500.00

59. Part 5: Total business-related property, line 45 \$0.00

60. Part 6: Total farm- and fishing-related property, line 52 \$0.00

61. Part 7: Total other property not listed, line 54 + \$0.00

62. Total personal property. Add lines 56 through 61. \$161,126.00 Copy personal property total → + \$161,126.00

63. Total of all property on Schedule A/B. Add line 55 + line 62. \$3,278,426.00